

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

DR. COLLEEN ERBEL,)
Plaintiff,)
v.) No. 3:04-CV-555
MICHAEL O. JOHANNS, SECRETARY) (Phillips)
UNITED STATES DEPARTMENT OF)
AGRICULTURE,)
Defendant.)

JUDGMENT ON DECISION BY THE COURT

This case came before the court on the plaintiffs' motion for judgment as a matter of law, or, in the alternative, for a new trial. The Honorable Thomas W. Phillips, United States District Judge, having rendered a decision on the motion.

Defendant's motion for judgment as a matter of law or, alternatively, for a new trial is **GRANTED IN PART AND DENIED IN PART**: the jury award of \$3,000 for lost wages relating to suspension is affirmed; the jury award of \$10,000 for emotional damages relating to suspension is affirmed; the jury award of \$150,000 for emotional damages relating to hostile work environment is affirmed; the USDA's motion for remittitur of the damages award for lost wages relating to hostile work environment is **GRANTED**, whereby the damages award for lost wages for the hostile work environment claim shall be reduced from \$210,000 to \$1,444.75. Thus, the total amount of damages plaintiff shall recover from defendant in this case is \$164,444.75.

Dated at Knoxville, Tennessee, this _____ day of January, 2008.

s/ Patricia L. McNutt
Clerk of Court